Paper No. None

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OFFICE OF PETITIONS

In re Application of   :
Roberto A. Macina   :
Application No. 09/806,311   :
Filed: July 18, 2001   :   DECISION ON PETITION
Attorney Docket Number: DEX-0184   :
Title: NOVEL METHOD OF DIAGNOSING,   :
MONITORING, STAGING, IMAGING AND   :
TREATING GATROINTESTINAL   :
CANCERS   :

This is a decision on the petition filed July 12, 2005 under 37 C.F.R. §1.181, requesting that the holding of abandonment in the above-identified application be withdrawn.

The above-identified application became abandoned for failure to submit the issue fee in a timely manner in reply to the Notice of Allowance and Issue Fee Due, mailed December 20, 2004, which set a shortened statutory period for reply of three (3) months. No extensions of time are permitted for transmitting issue fees[1]. Accordingly, the above-identified application became abandoned on March 21, 2005.

Petitioner has indicated that the Notice was not received until July 1, 2005. The electronic file has been reviewed, and it is clear that on April 11, 2005, the notice was received at the Patent Office: it appears that the mailing was returned with the notation "Return to Sender – Insufficient Address" stamped on the exterior of the envelope.

With the present petition, Petitioner has included the issue fee.

The petition under 37 CFR §1.181(a) is **GRANTED**. The holding of abandonment is hereby **WITHDRAWN**.

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1 See MPEP §710.02(e).

The Office of Patent Publication will be notified of this decision.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.

Paul Shanoski
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United States Patent and Trademark Office